

IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

**Earnest O. Dublin**  
1670 Niagara Road  
Columbus, OH 43227

And

**Tina Kimberlin**  
4376 Belcher Court Apt A  
Columbus, OH 43224

Plaintiff

v.

**FETA Transport, Inc.**  
2155 Delhi St N/E  
Holt, MI 48842

and

**John Doe**  
c/o FETA Transport, Inc.  
2155 Delhi St. N/E  
Holt, MI 48842

Defendants.

Case No.:

Judge

**COMPLAINT FOR PERSONAL  
INJURIES WITH JURY DEMAND  
ENDORSED HEREIN**

**FIRST CLAIM FOR RELIEF**

1. On or about January 4, 2022, Plaintiff, Earnest O. Dublin (hereafter “Plaintiff”), was operating a motor vehicle traveling in a southbound direction on Interstate 71, in Columbus, Franklin County, Ohio, when Defendant, John Doe, who was operating a motor vehicle in the scope and course of his employment, traveling in a southbound direction on Interstate 71, negligently moved into Plaintiff’s lane forcing Plaintiff’s vehicle out of his lane and onto the berm where he collided with an object off the right side of the road.

EXHIBIT C

2. At all relevant times, Defendant, John Doe, was in the employ of Defendant, FETA Transport, Inc., and was acting as an agent of Defendant, FETA Transport, Inc., at the time of the accident.

3. At all relevant times, Defendant, FETA Transport, Inc., negligently entrusted the vehicle to Defendant, John Doe, an inexperienced and incompetent driver.

4. As the proximate result of the negligence of Defendants, FETA Transport, Inc. and/ or John Doe, Plaintiff, sustained injuries and damages as follows:

- a. Bodily injuries;
- b. Great pain and suffering, both physical and emotional, and loss of ability to perform usual functions and the injuries will cause further pain and suffering and loss of ability to perform usual functions in the future;
- c. Reasonable and necessary medical expenses in excess of an amount yet to be determined, as well as further medical expenses to be incurred in the future;
- d. Miscellaneous out of pocket expenses in an amount yet to be determined.

5. The aforesaid negligence of Defendants, FETA Transport, Inc. and/ or John Doe, was the direct and proximate cause of the injuries and damages to Plaintiff

**WHEREFORE**, Plaintiff, Earnest O. Dublin, demands judgment against the Defendants, FETA Transport, Inc. and/ or John Doe, jointly and severely, in an amount in excess of \$25,000.00, plus interest and the costs of this action.

**SECOND CLAIM FOR RELIEF**

6. Plaintiff incorporate each and every allegation contained in the First Claim for Relief as though fully rewritten herein.

7. As the proximate result of the negligence of Defendants, FETA Transport, Inc. and/ or John Doe, Plaintiff, Tina Kimberlin, sustained injuries and damages as follows:

EXHIBIT C

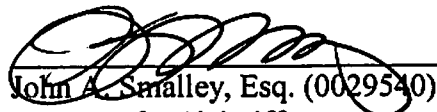
- a. Bodily injuries;
- b. Pain and suffering, both physical and emotional, and loss of ability to perform usual functions and the injuries will cause further pain and suffering and loss of ability to perform usual functions in the future;
- c. Reasonable and necessary medical expenses in excess of \$\*\*\*, as well as further medical expenses to be incurred in the future;
- d. Miscellaneous out of pocket expenses.

8. The aforesaid negligence of Defendants, FETA Transport, Inc. and/ or John Doe, was the direct and proximate cause of the injuries and damages to Plaintiff, Tina Kimberlin.

**WHEREFORE**, Plaintiff, Tina Kimberlin, demands judgment against the Defendants, FETA Transport, Inc. and/ or John Doe, in an amount in excess of \$25,000.00, plus interest and the costs of this action.

Respectfully submitted,

DYER, GAROFALO, MANN & SCHULTZ

  
\_\_\_\_\_  
John A. Smalley, Esq. (0029540)  
Attorney for Plaintiff  
131 North Ludlow Street  
Suite 1400  
Dayton, Ohio 45402  
Telephone: (937) 223-8888  
[jsmalley@dgmsslaw.com](mailto:jsmalley@dgmsslaw.com)

**JURY DEMAND**

Now comes Plaintiff, by and through counsel, and hereby demands a trial by jury on all issues of this matter.

Respectfully submitted,

DYER, GAROFALO, MANN & SCHULTZ



\_\_\_\_\_  
John A. Smalley, Esq. (0029540)  
Attorney for Plaintiff  
131 North Ludlow Street  
Suite 1400  
Dayton, Ohio 45402  
Telephone: (937) 223-8888  
[jsmalley@dgmsslaw.com](mailto:jsmalley@dgmsslaw.com)

MARYELLEN O'SHAUGHNESSY

EXHIBIT C

FRANKLIN COUNTY CLERK OF COURTS  
GENERAL DIVISION, COURT OF COMMON PLEAS

MICHAEL HOLBROOK

CASE TITLE: EARNEST O DUBLIN ET AL -VS- FETA TRANSPORT INC CASE NUMBER: 22CV006429  
ET AL

CLERK'S ORIGINAL CASE SCHEDULE

LATEST TIME OF OCCURRENCE

CASE FILED	09/16/22
INITIAL DISCLOSURES OF THE PARTIES [CIV. R. 26(B)(3)]	11/11/22
DISCOVERY CONFERENCE OF COUNSEL AND UNREPRESENTED PARTIES [CIV. R. 26(F)]	12/09/22
JOINT DISCOVERY PLAN TO BE FILED	14 DAYS AFTER PARTIES DISCOVERY CONFERENCE
CASE MANAGEMENT/PRETRIAL CONFERENCE WITH COURT	01/09/23 0900AM
EXPERT WITNESS [CIV. R. 26(B)(7)]	
DISCLOSE IDENTITY - PARTY WITH BURDEN	02/13/23
DISCLOSE IDENTITY - PARTY WITHOUT BURDEN	NO LATER THAN 30 DAYS AFTER OPPOSING DISCLOSURE
EXPERT REPORT & CV DUE - PARTY WITH BURDEN	03/13/23
EXPERT REPORT & CV DUE - PARTY WITHOUT BURDEN	NO LATER THAN 45 DAYS AFTER OPPOSING REPORTS
DISPOSITIVE MOTION DEADLINE	05/15/23
DISCOVERY CUTOFF DATE	06/12/23
FINAL PRETRIAL CONFERENCE	09/05/23 0900AM
TRIAL ASSIGNMENT	09/19/23 0900AM

**NOTICE TO ALL PARTIES**

**EXHIBIT C**

Attorneys and unrepresented parties must become familiar with the 2020 amendments to the Ohio Rules of Civil Procedure and this court's Local Rules.

The Original Case Schedule is an important tool to assist the parties and the court in meeting case management guidelines in the Ohio Superintendence Rules, and otherwise achieving timely disposition of civil cases notwithstanding the priority given to criminal cases under Crim. R. 50.

Judicial Officers of this court may modify the Original Case Schedule following receipt of the parties' Joint Discovery Plan, or for good cause at any other point in the case. However, it is essential for attorneys and unrepresented parties to pursue their cases diligently from the outset. Deadlines set in the Rules and in this Original Case Schedule are normally binding, not merely aspirational.

MARYELLEN O'SHAUGHNESSY

EXHIBIT C

FRANKLIN COUNTY CLERK OF COURTS  
GENERAL DIVISION, COURT OF COMMON PLEAS

CASE TITLE: EARNEST O DUBLIN ET AL -VS- FETA TRANSPORT INC CASE NUMBER: 22CV006429  
ET AL

TO THE CLERK OF COURTS, YOU ARE INSTRUCTED TO MAKE:  
CERTIFIED MAIL

DOCUMENTS TO BE SERVED:  
COMPLAINT of Plaintiff

PROPOSED DOCUMENTS TO BE SERVED:

UPON:  
JOHN DOE  
C/O FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842

FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842

JUVENILE CITATIONS ONLY:

HEARING TYPE:

\_\_ Date already scheduled at : Courtroom:

Electronically Requested by: JOHN ALLEN SMALLEY  
Attorney for:

MARYELLEN O'SHAUGHNESSY

EXHIBIT C

**FRANKLIN COUNTY CLERK OF COURTS  
GENERAL DIVISION, COURT OF COMMON PLEAS**

**CASE TITLE: EARNEST O DUBLIN ET AL -VS- FETA TRANSPORT INC      CASE NUMBER: 22CV006429  
ET AL**

**TO THE CLERK OF COURTS, YOU ARE INSTRUCTED TO MAKE:  
CERTIFIED MAIL**

**DOCUMENTS TO BE SERVED:  
COMPLAINT of Plaintiff**

**PROPOSED DOCUMENTS TO BE SERVED:**

**UPON:  
JOHN DOE  
C/O FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842**

**FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842**

**JUVENILE CITATIONS ONLY:**

**HEARING TYPE:**

**\_\_ Date already scheduled at : Courtroom:**

**Electronically Requested by: JOHN ALLEN SMALLEY  
Attorney for:**



E3515 - E3

EXHIBIT C

MARYELLEN O'SHAUGHNESSY

CLERK OF THE FRANKLIN COUNTY COMMON PLEAS COURT, COLUMBUS, OHIO 43215  
CIVIL DIVISION

EARNEST O. DUBLIN  
1670 NIAGARA ROAD  
COLUMBUS, OH 43227,

PLAINTIFF,

VS.

FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842,

DEFENDANT.

22CV-09-6429  
CASE NUMBER

FILED  
COMMON PLEAS COURT  
FRANKLIN CO., OHIO  
2022 SEP 19 PM 2:05  
CLERK OF COURTS

\*\*\*\* SUMMONS \*\*\*\*

09/16/22

TO THE FOLLOWING NAMED DEFENDANT:

FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842

YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN FRANKLIN COUNTY  
COURT OF COMMON PLEAS, FRANKLIN COUNTY HALL OF JUSTICE, COLUMBUS, OHIO,  
BY: EARNEST O. DUBLIN  
1670 NIAGARA ROAD  
COLUMBUS, OH 43227,

PLAINTIFF(S).

A COPY OF THE COMPLAINT IS ATTACHED HERETO. THE NAME AND ADDRESS OF  
THE PLAINTIFF'S ATTORNEY IS:

JOHN A. SMALLEY  
DYER, GAROFALO, MANN & SCHU  
131 NORTH LUDLOW STREET  
SUITE 1400  
DAYTON, OH 45402

YOU ARE HEREBY SUMMONED AND REQUIRED TO SERVE UPON THE PLAINTIFF'S  
ATTORNEY, OR UPON THE PLAINTIFF, IF HE HAS NO ATTORNEY OF RECORD, A COPY  
OF AN ANSWER TO THE COMPLAINT WITHIN TWENTY-EIGHT DAYS AFTER THE SERVICE  
OF THIS SUMMONS ON YOU, EXCLUSIVE OF THE DAY OF SERVICE. YOUR ANSWER  
MUST BE FILED WITH THE COURT WITHIN THREE DAYS AFTER THE SERVICE OF A  
COPY OF THE ANSWER ON THE PLAINTIFF'S ATTORNEY.

IF YOU FAIL TO APPEAR AND DEFEND, JUDGMENT BY DEFAULT WILL BE RENDERED  
AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

MARYELLEN O'SHAUGHNESSY  
CLERK OF THE COMMON PLEAS  
FRANKLIN COUNTY, OHIO

BY: JANIE STANLEY, DEPUTY CLERK

(CIV370-S03)

E3515 - E4

EXHIBIT C

MARYELLEN O'SHAUGHNESSY

CLERK OF THE FRANKLIN COUNTY COMMON PLEAS COURT, COLUMBUS, OHIO 43215  
CIVIL DIVISION

EARNEST O. DUBLIN  
1670 NIAGARA ROAD  
COLUMBUS, OH 43227,

PLAINTIFF,

VS.

FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842,

DEFENDANT.

22CV-09-6429  
CASE NUMBER

FILED  
COMMON PLEAS COURT  
FRANKLIN CO., OHIO  
2022 SEP 19 PM 2:39  
CLERK OF COURTS

\*\*\*\* SUMMONS \*\*\*\*

09/16/22

TO THE FOLLOWING NAMED DEFENDANT:

JOHN DOE  
C/O FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842

YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN FRANKLIN COUNTY  
COURT OF COMMON PLEAS, FRANKLIN COUNTY HALL OF JUSTICE, COLUMBUS, OHIO,  
BY: EARNEST O. DUBLIN  
1670 NIAGARA ROAD  
COLUMBUS, OH 43227,

PLAINTIFF(S) .

A COPY OF THE COMPLAINT IS ATTACHED HERETO. THE NAME AND ADDRESS OF  
THE PLAINTIFF'S ATTORNEY IS:

JOHN A. SMALLEY  
DYER, GAROFALO, MANN & SCHU  
131 NORTH LUDLOW STREET  
SUITE 1400  
DAYTON, OH 45402

YOU ARE HEREBY SUMMONED AND REQUIRED TO SERVE UPON THE PLAINTIFF'S  
ATTORNEY, OR UPON THE PLAINTIFF, IF HE HAS NO ATTORNEY OF RECORD, A COPY  
OF AN ANSWER TO THE COMPLAINT WITHIN TWENTY-EIGHT DAYS AFTER THE SERVICE  
OF THIS SUMMONS ON YOU, EXCLUSIVE OF THE DAY OF SERVICE. YOUR ANSWER  
MUST BE FILED WITH THE COURT WITHIN THREE DAYS AFTER THE SERVICE OF A  
COPY OF THE ANSWER ON THE PLAINTIFF'S ATTORNEY.

IF YOU FAIL TO APPEAR AND DEFEND, JUDGMENT BY DEFAULT WILL BE RENDERED  
AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

MARYELLEN O'SHAUGHNESSY  
CLERK OF THE COMMON PLEAS  
FRANKLIN COUNTY, OHIO

BY: JANIE STANLEY, DEPUTY CLERK

(CIV370-S03)

**E3515 - A57 EXHIBIT C**

FROM

MARYELLEN O'SHAUGHNESSY  
FRANKLIN COUNTY CLERK OF COURTS  
373 SOUTH HIGH STREET  
COLUMBUS, OHIO 43215-4579

FILED  
COMMON PLEAS COURT  
2022 SEP 19 PM 3:10  
CLERK OF COURTS

C E R T I F I E D  
M A I L  
R E C E I P T

09/16/22

FETA TRANSPORT INC  
2155 DELHI ST N/E  
HOLT, MI 48842

22CV-09-6429 C

EARNEST O. DUBLIN  
VS  
FETA TRANSPORT INC

SERVICE ITEM: 01  
ORIGINAL SUMMONS

CERTIFIED  
NUMBER

9214890119 522808133332

CIV354

E3515 - A58

EXHIBIT C

FROM

MARYELLEN O'SHAUGHNESSY  
FRANKLIN COUNTY CLERK OF COURTS  
373 SOUTH HIGH STREET  
COLUMBUS, OHIO 43215-4579

FILED  
COMMON PLEAS COURT  
FRANKLIN COUNTY, OHIO  
2022 SEP 19 PM 3:07  
CLERK OF COURTS  
CERTIFIED  
MAIL  
RECEIPT

09/16/22

JOHN DOE  
C/O FETA TRANSPORT IN  
2155 DELHI ST N/E  
HOLT, MI 48842

22CV-09-6429 C

EARNEST O. DUBLIN  
VS  
FETA TRANSPORT INC

SERVICE ITEM: 01  
ORIGINAL SUMMONS

CERTIFIED  
NUMBER

9214890119 522808133325

CIV354



EXHIBIT C

Date Produced: 09/26/2022

COC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 1952 2808 1333 32. Our records indicate that this item was delivered on 09/22/2022 at 12:43 p.m. in HOLT, MI 48842. The scanned image of the recipient information is provided below.

Signature of Recipient :

Handwritten signature of Melissa Thorne.

Address of Recipient :

Handwritten address: 2155 Dennis

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

FILED  
COMMON PLEAS COURT  
FRANKLIN CO. OHIO  
2022 SEP 27 PM 4:25  
CLERK OF COURTS

Customer Reference Number: 4884222CV06429DUBLI



EXHIBIT C

Date Produced: 09/26/2022

COC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 1952 2808 1333 25. Our records indicate that this item was delivered on 09/22/2022 at 12:43 p.m. in HOLT, MI 48842. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to read "Melissa Thorne". The signature is written in a cursive, flowing style.

Address of Recipient :

A handwritten address in black ink, appearing to read "2155 Dennis". The address is written in a cursive, flowing style.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

FILED  
COMMON PLEAS COURT  
FRANKLIN CO. OHIO  
2022 SEP 27 PM 4:25  
CLERK OF COURTS

Customer Reference Number 4884222CV06429DUBLI

EXHIBIT C

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

Earnest O. Dublin, *et al.*,

Plaintiffs,

v.

Feta Transport, Inc., *et al.*,

Defendants.

Case No. 22 CV 006429

Hon. Michael J. Holbrook

---

**NOTICE OF APPEARANCE OF JASON P. WALKER, ESQ.  
ON BEHALF OF DEFENDANT FETA TRANSPORT, INC.**

---

PLEASE TAKE NOTICE that Jason P. Walker, Esq. (0079535) of Rolfes Henry Co., LPA hereby enters his appearance as trial counsel on behalf of Defendant Feta Transport, Inc. ("FTT").

Dated: October 19, 2022

Respectfully submitted,

ROLFES HENRY CO., LPA

/s/ Jason P. Walker

Jason P. Walker (0079535)

Ryan M. Pelfrey (0099660)

41 South High Street, Suite 2300

Columbus, Ohio 43215

Phone: (614) 469-7130

Fax: (614) 469-7146

Email: [jwalker@rolfeshenry.com](mailto:jwalker@rolfeshenry.com)

[rpelfrey@rolfeshenry.com](mailto:rpelfrey@rolfeshenry.com)

**ATTORNEYS FOR DEFENDANT  
FETA TRANSPORT, INC.**

**CERTIFICATE OF SERVICE**

I certify that on October 19, 2022, I filed the foregoing document using the Clerk of Courts’ ECF system, which will automatically generate notice of this filing to the email addresses of all counsel of record.

/s/ Jason P. Walker  
Jason P. Walker (0079535)



EXHIBIT C

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

Earnest O. Dublin, *et al.*,

Plaintiffs,

v.

Feta Transport, Inc., *et al.*,

Defendants.

Case No. 22 CV 006429

Hon. Michael J. Holbrook

**Jury Demand Endorsed Hereon**

---

**ANSWER AND DEFENSES OF DEFENDANT FETA TRANSPORT, INC.**

---

Now comes Defendant Feta Transport, Inc. (“FTI”), by and through counsel, and for its Answer to the September 16, 2022 Complaint of Earnest O. Dublin and Tina Kimberlin (collectively, “Plaintiffs”), avers as follows:

**FIRST CLAIM FOR RELIEF**

1. FTI denies the allegations in paragraph 1 of Plaintiffs’ Complaint.
2. FTI denies the allegations in paragraph 2 of Plaintiffs’ Complaint for want of knowledge or information sufficient to form a belief as to the truth of those allegations.
3. FTI denies the allegations in paragraph 3 of Plaintiffs’ Complaint.
4. FTI denies the allegations in paragraph 4 of Plaintiffs’ Complaint.
5. FTI denies the allegations in paragraph 5 of Plaintiffs’ Complaint.

**SECOND CLAIM FOR RELIEF**

6. FTI re-avers and incorporates the previous paragraphs as if fully set forth herein.
7. FTI denies the allegations in paragraph 7 of Plaintiffs' Complaint.
8. FTI denies the allegations in paragraph 8 of Plaintiffs' Complaint.

**AFFIRMATIVE DEFENSES**

1. One or more counts in Plaintiffs' Complaint fails to state a claim upon which relief may be granted.
2. Plaintiffs failed to join necessary and indispensable parties and/or entities needed for just adjudication of one or more of Plaintiffs' claims.
3. Plaintiffs' recovery is barred, in whole or in part, by Plaintiffs' own comparative fault and/or negligence.
4. Plaintiffs' recovery is capped and/or limited, in whole or in part, by R.C. § 2315.18, *et seq.*, and/or other applicable Ohio law.
5. Defendant is entitled to a set-off for any collateral amounts paid to Plaintiffs and/or on Plaintiffs' behalf pursuant to *Robinson v. Bates*, 112 Ohio St.3d 17, 2006-Ohio-6362, 857 N.E.2d 1195; *Jaques v. Manton*, 125 Ohio St.3d 342, 2010-Ohio-1838, 928 N.E.2d 434; and/or other applicable Ohio law.
6. Plaintiffs failed to mitigate their damages.
7. Some or all of Plaintiffs' alleged damages were not foreseeably and/or proximately caused by Defendant's alleged acts and/or omissions.

EXHIBIT C

8. Plaintiffs barred FTI from obtaining evidence necessary to prove the existence or absence of the essential elements of their claim(s); and Plaintiffs' spoliation of the evidence precludes their recovery against FTI.
9. The alleged motor vehicle incident never occurred.
10. Plaintiffs' complaint constitutes frivolous conduct under R.C. §2323.51.
11. Plaintiffs seek to recover for an accident which did not occur and their efforts in that regard constitute fraud.
12. FTI reserves its right to add, delete, or amend these affirmative defenses.

**WHEREFORE**, Defendant Feta Transport, Inc. prays for dismissal of Plaintiffs' Complaint with prejudice, at expense to Plaintiffs; and for any other relief to which Defendant Feta Transport, Inc. may be entitled.

Dated: October 19, 2022

Respectfully submitted,

ROLFES HENRY CO., LPA

/s/ Jason P. Walker

/s/ Ryan M. Pelfrey

Jason P. Walker (0079535)

Ryan M. Pelfrey (0099660)

41 South High Street, Suite 2300

Columbus, Ohio 43215

Phone: (614) 469-7130

Fax: (614) 469-7146

Email: [jwalker@rolfeshenry.com](mailto:jwalker@rolfeshenry.com)

[rpelfrey@rolfeshenry.com](mailto:rpelfrey@rolfeshenry.com)

**ATTORNEYS FOR DEFENDANT  
FETA TRANSPORT, INC.**

**JURY DEMAND**

Pursuant to Civ.R. 38(B), Defendant Feta Transport, Inc. hereby demands a trial by jury on all issues of fact in this matter so triable.

/s/ Jason P. Walker  
Jason P. Walker (0079535)

EXHIBIT C

**CERTIFICATE OF SERVICE**

I certify that on October 19, 2022, I filed the foregoing document using the Clerk of Courts' ECF system, which will automatically generate notice of this filing to the email addresses of all counsel of record.

/s/ Jason P. Walker

Jason P. Walker (0079535)

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

Earnest O. Dublin, *et al.*,

Plaintiffs,

v.

Feta Transport, Inc., *et al.*,

Defendants.

Case No. 22 CV 006429

Hon. Michael J. Holbrook

---

**NOTICE OF APPEARANCE OF RYAN M. PELFREY, ESQ.  
ON BEHALF OF DEFENDANT FETA TRANSPORT, INC.**

---

PLEASE TAKE NOTICE that Ryan M. Pelfrey, Esq. (0099660) of Rolfes Henry Co., LPA hereby enters his appearance as additional trial counsel on behalf of Defendant Feta Transport, Inc. (“FTT”).

Dated: October 19, 2022

Respectfully submitted,

ROLFES HENRY CO., LPA

/s/ Ryan M. Pelfrey  
Jason P. Walker (0079535)  
Ryan M. Pelfrey (0099660)  
41 South High Street, Suite 2300  
Columbus, Ohio 43215  
Phone: (614) 469-7130  
Fax: (614) 469-7146  
Email: [jwalker@rolfeshenry.com](mailto:jwalker@rolfeshenry.com)  
[rpelfrey@rolfeshenry.com](mailto:rpelfrey@rolfeshenry.com)

**ATTORNEYS FOR DEFENDANT  
FETA TRANSPORT, INC.**

## CERTIFICATE OF SERVICE

I certify that on October 19, 2022, I filed the foregoing document using the Clerk of Courts' ECF system, which will automatically generate notice of this filing to the email addresses of all counsel of record.

/s/ Ryan M. Pelfrey  
Ryan M. Pelfrey (0099660)

**IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO  
CIVIL DIVISION**

Earnest O. Dublin, et al : Case No.: 22 CV 006429  
Plaintiffs, : Judge: Holbrook  
vs. :  
Transport Inc. FETA, et al : **PLAINTIFF'S DISCLOSURE OF**  
 : **EXPERT WITNESSES**  
Defendants. :

Now comes Plaintiff, Earnest O. Dublin, by and through counsel, and hereby submits his expert witness list with regard to the above captioned case:

**EXPERT WITNESSES**

David Milliron, DC  
Mark Vonder Embse, DC  
Inner Health Chiropractic, Inc.  
1201 S. High Street  
Columbus, OH 43206

Plaintiff specifically reserves the right to supplement his expert witness list in accordance with the rules of this Court and to call any and all expert witnesses designated by defense counsel as potential experts either through discovery or in Defendant's pretrial statement.

Respectfully submitted,

**DYER, GAROFALO, MANN & SCHULTZ**

/s/John A. Smalley  
John A. Smalley, Esq. (0029540)  
Attorney for Plaintiff  
131 N. Ludlow Street, Suite 1400  
Dayton, Ohio 45402  
(937) 223-8888  
Fax # (937) 824-8630  
[jsmalley@dgmsslaw.com](mailto:jsmalley@dgmsslaw.com)



EXHIBIT C

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing has been served upon the following by regular and/or electronic mail this 16<sup>th</sup> day of November, 2022

Jason P. Walker, Esq.  
Ryan M. Pelfrey, Esq.  
Rolfes Henry Co., LPA  
41 South High Street  
Suite 2300  
Columbus, OH 43215

/s/John A. Smalley  
John A. Smalley, Esq. (0029540)  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

	)	
	)	
<b>Earnest O. Dublin, <i>et al.</i>,</b>	)	
	)	Case No. 22 CV 006429
Plaintiffs,	)	
	)	
v.	)	
	)	Judge Michael Holbrook
<b>Feta Transport, Inc., <i>et al.</i>,</b>	)	
	)	
Defendants.	)	

**DEFENDANT FETA TRANSPORT INC.’S RULE 26 INITIAL DISCLOSURES**

Now comes Defendant Feta Transport, Inc. ("FTI"), by and through counsel, and hereby makes the following initial disclosures pursuant to Civ.R. 26(B)(3):

**A. Civ.R. 26(B)(3)(a)(i)**

FTI herein discloses the following names, and where known, the address and telephone number, of each individual who is likely to have discoverable information that FTI may use to support its claims and/or defenses. By identifying these witnesses, FTI does not represent that it has control over producing them to testify; nor does FTI make any representation about the content, scope, or relevancy of their knowledge.

- a. Earnest O. Dublin  
1670 Niagara Road  
Columbus, Ohio 43227  
(614) 226-0572  
Regarding the factual events and allegations in the pleadings.
  
- b. Tina Kimberlin  
4376 Belcher Court Apt. A  
Columbus, Ohio 43224  
(614) 288-9380  
Regarding the factual events and allegations in the pleadings.

Case 2:22-cr-00850-Ad-M-KAJ Doc # 5 Filed 12/12/22 Page 27 of 85 PageID# 295

- Case 2:22-cr-00850-Ad-M-KAJ Doc # 5 Filed 12/12/22 Page 27 of 85 PageID# 295

Case 2:22-cr-00850-Ad-M-KAJ Doc # 5 Filed 12/12/22 Page 27 of 85 PageID# 295

- Case 2:22-cr-00850-Ad-M-KAJ Doc # 5 Filed 12/12/22 Page 27 of 85 PageID# 295

EXHIBIT C

P.O. Box 30660  
Lansing, Michigan 48909  
(517) 886-8679  
Regarding information with her name on it provided during the claim investigation.

- j. Bryan Thompson, and other representative(s) of Feta Transport, Inc.  
2155 Delhi Street NE  
Holt, Michigan 48842  
Regarding the factual events and allegations in the pleadings.
- k. Cagkan Mustafaoglu  
Regarding the factual events and allegations in the pleadings.

**B. Civ.R. 26(B)(3)(a)(ii)**

FTI herein describes, by category and location, the documents, electronically stored information, and tangible things FTI has in its possession, custody, or control that FTI may use to support its claims or defenses.

The documents listed below are for purposes of discovery in this case only and are not an admission on behalf of FTI regarding their admissibility or responsiveness to the allegations made in this case. FTI expressly reserves the right to withhold or redact certain documentation on the basis of attorney-client privilege, work product doctrine, and/or court order.

<u>Documents</u>	<u>Description</u>
<b>Policy and Declarations</b>	Copy of Auto-Owners Policy #52-644-466-00 and Declarations
<b>Crash Report</b>	Ohio Department of Public Safety Crash Report #220008534
<b>Trailer</b>	2022 Stoughton Dry Van 53', VIN: 1DW1A5329NSA86137
<b>Herndon Report</b>	Report of Randall A. Ricotta, Herndon & Associates, and related documents

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## EXHIBIT C

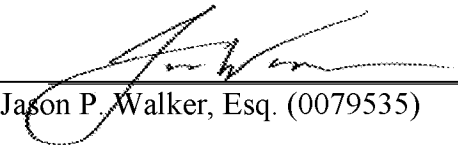
41 South High Street, Suite 2300  
Columbus, Ohio 43215  
P: (614) 469-7130  
F: (614) 469-7146  
E: [jwalker@rolfeshenry.com](mailto:jwalker@rolfeshenry.com)  
E: [rpelfrey@rolfeshenry.com](mailto:rpelfrey@rolfeshenry.com)

**ATTORNEYS FOR DEFENDANT  
FETA TRANSPORT, INC.**

EXHIBIT C

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing Initial Disclosures was filed today, November 17, 2022, using the Clerk of Courts' ECF system, which will automatically generate electronic notice of this filing to the email addresses of all attorneys on record.

  
\_\_\_\_\_  
Jason P. Walker, Esq. (0079535)

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

**Earnest O. Dublin, et al.**

Plaintiffs,

CASE NO. 22 CV 006429

vs.

Judge Michael J. Holbrook

**Feta Transport, Inc., et al.**

Defendants.

**NOTICE OF SERVICE OF WRITTEN DISCOVERY REQUESTS**

PLEASE TAKE NOTICE that on November 17, 2022, Defendant Feta Transport, Inc. (“Feta”) served each Plaintiff with a First Set of Requests for Admission. Feta has requested Plaintiffs’ responses within twenty-eight (28) days of service.

Respectfully submitted,

/s/ Jason P. Walker  
/s/ Ryan M. Pelfrey  
Jason P. Walker (0079535)  
Ryan M. Pelfrey (0099660)  
Rolfes Henry Co., LPA  
41 South High Street, Suite 2300  
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T: (614) 469-7130  
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E: [jwalker@rolfeshenry.com](mailto:jwalker@rolfeshenry.com)  
E: [rpelfrey@rolfeshenry.com](mailto:rpelfrey@rolfeshenry.com)

**ATTORNEYS FOR DEFENDANT  
FETA TRANSPORT, INC.**



This is to confirm that a copy of the foregoing Notice of Service was electronically filed today, November 17, 2022. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system, and the filing may be accessed through that system.

*Attorney for Plaintiffs*

/s/ Jason P. Walker  
Jason P. Walker (0079535)

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

Earnest O. Dublin, et al.	:	Case No.: 22 CV 006429
Plaintiff's,	:	Judge: Michael J. Holbrook
vs.	:	
Feta Transport, Inc., et al.	:	<b>NOTICE OF COMPLIANCE</b>
Defendant's,	:	

Plaintiff has responded to Defendant's First Set of Requests for Admission, Directed to Plaintiff's, Tina Kimberlin and Earnest O. Dublin, by serving a copy of the requested responses to Defendant's counsel of record as indicated in the Certificate of Service.

Respectfully submitted,

**DYER, GAROFALO, MANN & SCHULTZ**

/s/ John A. Smalley  
John A. Smalley (0029540)  
Attorney for Plaintiff  
131 N. Ludlow Street, Suite 1400  
Dayton, Ohio 45402  
Telephone # (937) 223-8888  
Facsimile # (937) 223-0127  
[jsmalley@dgmsslaw.com](mailto:jsmalley@dgmsslaw.com)

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing has been served upon the following by regular and/or electronic mail this 23 day of November, 2022

Jason P Walker, Esq.  
Ryan M. Pelfrey, Esq.  
Rolfes Henry Co., LPA  
41 S. High Street, Suite 2300  
Columbus, OH 43215

/s/ John A. Smalley  
John A. Smalley (0029540)  
Attorney for Plaintiff